



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

PFE ORIGINAL

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

**JAN 29 2016**

Sonneborn, LLC  
100 Sonneborn Ln  
Petroia, PA 16050

**Re: SPCC case number: TBD-PA-2016-00035**  
**Release date: December 10, 2015 and December 22, 2015**

Dear Sir/Madame:

The purpose of this letter is to determine whether you/your facility is in compliance with the Spill Prevention, Control and Countermeasures (SPCC) Regulations found at Title 40 C.F.R. Part 112, as well as request information about the releases that occurred at your facility on December 10, 2015 and December 22, 2015, in which oil was released and reached the South Branch of Bear Creek. You/your facility is hereby required to submit to the U.S. Environmental Protection Agency (EPA) the information requested herein within thirty (30) days of your receipt of this letter pursuant to Section 308(a) of the Clean Water Act, 33 U.S.C. § 1318(a).

1. Provide the date of the facility's SPCC Plan: \_\_\_\_\_
2. Please describe the procedures in place to prevent any discharges from reaching a navigable waterway.
3. Identify all substances released from the Facility during the incident reported on **December 10, 2015 and December 22, 2015**. Specifically, identify:
  - a. The name and Chemical Abstract Services ("CAS") Number for each substance released;
  - b. For oils, identify the type and grade;
  - c. Provide the quantity, concentration of each substance released and the method by which the concentration was measured or estimated. For mixtures, provide the name, quantity, and concentration of each constituent of that mixture;
  - d. Provide the solubility and specific gravity of each substance released;
  - e. Provide the Material Safety Data Sheet (MSDS).
4. Describe the physical source (including, but not limited to vehicle, outfall, tank, container, pipe, ditch, conduit, or equipment) at the Facility from which the oil and/or hazardous substance or substances (the term "substance" as used here includes both oils and hazardous substances) initially was released. If the substance was released from more than one source, please identify each specific source.

5. Provide a complete description of the cause or causes of the discharge.
6. Provide the total quantity of undiluted substance(s) released.
7. Identify the first body of water that the substance reached. Identify the actual or estimated quantity of the substance(s) that entered that water body. Describe the location of any other water bodies that the substance(s) subsequently entered, including the actual or approximate distance from the Facility. In addition, state the actual or estimated quantity of the substance(s) that entered those additional water bodies.
8. Describe any damage to animal life or vegetation that you observed or otherwise have knowledge of.
9. Describe all steps taken to contain and clean up the spill and to mitigate any environmental damage and/or threat to human health.

Please certify the above information in the following manner:

I hereby certify the above to be true and accurate to the best of my knowledge.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name (please print or type): \_\_\_\_\_

Title: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

If you/your facility fail to properly respond to this request, you/your facility may be subject to the following penalties. Pursuant to Section 309(g) of the Act, 33 U.S.C. § 1319(g), any person who violates Section 308 of the Act is subject to administrative penalties. Pursuant to Section 309(d) of the Act, 33 U.S.C. § 1319(d), any person who violates Section 308 of the Act is subject to a civil penalty of up to \$37,500 per day of violation. In addition, pursuant to Section 309 (c)(1) of the Act, 33 U.S.C. § 1319(C)(1), any person who negligently violates Section 308 of the Act may be punished by a fine of not less than \$2,500 nor more than \$25,000 per day of violation, or by imprisonment for not more than 1 year, or by both.

In addition, providing false, fictitious or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. § 1001. The information you provide may be used by EPA in administrative, civil, or criminal proceedings.

Your response should be submitted within **thirty (30) days** of your receipt of this letter to:

**U.S. Environmental Protection Agency  
Region III, Arlín Galarza-Hernández  
Oil and Prevention Branch (3HS61)  
1650 Arch Street  
Philadelphia, PA 19103-2029**

If you have any questions on this matter, you may call Arlín Galarza-Hernández, SPCC/FRP Coordinator at (215) 814-3223.

Sincerely,

A handwritten signature in black ink that reads "Joan Armstrong". The signature is written in a cursive, flowing style.

Joan Armstrong, Associate Director  
Office of Enforcement  
Hazardous Site Cleanup Division

Enclosures

cc: case file



## ENCLOSURE

### DEFINITIONS

**Discharge:** For purposes of Section 311 of the Act, a *discharge* to navigable waters or adjoining shorelines includes, but is not limited to, any spilling, leaking, pumping, pouring, emitting, emptying, or dumping, but excludes certain discharges in compliance with a permit under Section 402 of the Act.

**Navigable Waters:** Navigable waters of the United States means "navigable waters" as defined in section 502(7) of the FWPCA, and includes: (1) All navigable waters of the United States, as defined in judicial decisions prior to passage of the 1972 Amendments to the FWPCA (Pub. L. 92-500), and tributaries of such waters; (2) Interstate waters; (3) Intrastate lakes, rivers, and streams which are utilized by interstate travelers for recreational or other purposes; and (4) Intrastate lakes, rivers, and streams from which fish or shellfish are taken and sold in interstate commerce.

